

1 **FERMAN W. SIMS, ESQ.**
(CSB #038696)
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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 STEPHEN MITCHELL

CASE NO. C 07-5112 CW

13 Plaintiff,

ADR CERTIFICATON BY PARTIES
AND COUNSEL

14 v.

15 DR. HAROLD NEMETZ, OPEN DOOR
16 COMMUNITY HEALTH CENTER, U.S.
17 DEPARTMENT OF HEALTH & HUMAN
18 SERVICES and DOES 1-20 inclusive
19 Defendants.

20
21 Pursuant to Civil L. R. 16-8(b) and ADR L. R. 3-5 (b), each of the undersigned certifies
22 that he or she has:

- 23 1. Read the handbook entitled "Dispute Resolution Procedures in the Northern
24 District of California" on the Court's ADR Internet site
25 www.adr.cand.uscourts.gov (Limited printed copies are available from the
26 clerk's office for parties in cases not subject to the court's Electronic Case Filing
27 program (ECF) under General Order 45);
28

1 2. Have not discussed the available dispute resolution options provided by the Court
2 and private entities in that telephonic messages received from Melissa Brown,
3 Attorney for Federal Defendant stated that ADR is not to be discussed prior to her
4 Motion having been hearing and ruled upon by this Court; and that Medication
5 may be a possibility if Motion to Dismiss Federal Defendant filed by U. S.
6 Attorney is denied upon hearing set for March 6, 2008; and

7 3. Plaintiff is of the belief that this case would benefit from the available dispute
8 resolution options.

9 Dated: February 22, 2008

_____s/_____
FERMAN W. SIMS,

PROOF OF SERVICE

I, **JEAN F. KOLL** hereby declare that I am over the age of eighteen (18) years, and not a party to this action. My business address is 519 "H" Street; Crescent City, CA 95531.

On 2-22-2008 I served a true copy of the following document(s) in the manner described below:

☒ **BY MAIL:** I am readily familiar with the practice of this business for collection and processing of documents for mailing with the United States Postal Service. Documents so collected and processed are placed in collection and deposited with the United States Postal Service that same day in the ordinary course of business. The above-referenced document(s) were placed in (a) sealed envelope(s) was (were) placed for collection and deposit with the United States Postal Service on the date listed below at Crescent City, California.

☐ **PERSONAL SERVICE:** By personally delivering a true copy thereof to the person and at the address set forth below:

☐ **FACSIMILE:** By faxing to the person(s) and fax number set forth below:

☒ **ELECTRONIC FILING:** The above and foregoing document(s) were electronically filed with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Melissa K. Brown
United States Attorney
Chief, Civil Division
450 Golden Gate Avenue, Box 36055
San Francisco, Ca. 94102
Email: Melissa.k.brown@usdoj.gov

Office of the Attorney General
441 4th Street NW, Suite 1060 N
Washington, DC 20001

Frances Greenleaf
Janssen, Mallory, Needham, Morrison, Reinholtsen & Crowley, LLP
P.O. Drawer 1288
Eureka, Ca. 95501

United States Attorney General
Department of Justice
Attention: Michael B. Mukasey
950 Pennsylvania Avenue, NW
Washington DC 20530-0001

Executed on 02-22-08 at Crescent City, California. I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Jean F. Koll
JEAN F. KOLL